

Substitute for Form PTO-1390 TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 034107-048 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 107501194 Not Yet Assigned
INTERNATIONAL APPLICATION NO. PCT/US03/0070	INTERNATIONAL FILING DATE 10 January 2003 (10.01.03)	PRIORITY DATE CLAIMED 11 January 2002 (11.01.02)	
TITLE OF INVENTION METHODS AND COMPOSITIONS FOR OXYGEN TRANSPORT COMPRISING AN OXYGEN CARRIER AND A CRYSTALLOID IN HYPERTONIC SOLUTION			
APPLICANT(S) FOR DO/EO/US Robert M. Winslow and Kim D. Vandegriff			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission to items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 			
Items 11 to 21 below concern document(s) or information included:			
<ol style="list-style-type: none"> <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A change of power of attorney and/or address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Other items or information: <u>Application Data Sheet; International Search Report; International Preliminary Examination Report (Express Mail No. EV 419104825 US)</u> <input type="checkbox"/> Applicant(s) requests that the published application include the following assignment information: _____ _____ _____ _____ 			

U.S. APPLICATION NO. (if known, see 37 CFR 1.45) Not Yet Assigned	INTERNATIONAL APPLICATION NO. PCT/US03/0070	ATTORNEY'S DOCKET NUMBER 034107-048																				
22. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY																				
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,080.00 (1611) International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 (1613) International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 (1610) International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 (1609) International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 (1612)																						
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 730.00																				
Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 130.00																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">CLAIMS</th> <th style="width: 25%;">NUMBER FILED</th> <th style="width: 25%;">NUMBER EXTRA</th> <th style="width: 25%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>5</td> <td>-20 =</td> <td>0 <input type="checkbox"/> \$18.00 (1615) <input type="checkbox"/> \$0.00</td> </tr> <tr> <td>Independent Claims</td> <td>1</td> <td>- 3 =</td> <td>0 <input type="checkbox"/> \$86.00 (1614) <input type="checkbox"/> \$0.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$290.00 (1616)</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS \$ 860.00</td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total Claims	5	-20 =	0 <input type="checkbox"/> \$18.00 (1615) <input type="checkbox"/> \$0.00	Independent Claims	1	- 3 =	0 <input type="checkbox"/> \$86.00 (1614) <input type="checkbox"/> \$0.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00 (1616)	TOTAL OF ABOVE CALCULATIONS \$ 860.00				
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																			
Total Claims	5	-20 =	0 <input type="checkbox"/> \$18.00 (1615) <input type="checkbox"/> \$0.00																			
Independent Claims	1	- 3 =	0 <input type="checkbox"/> \$86.00 (1614) <input type="checkbox"/> \$0.00																			
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00 (1616)																			
TOTAL OF ABOVE CALCULATIONS \$ 860.00																						
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		+ \$ 430.00																				
Processing fee of \$130.00 (1618) for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		SUBTOTAL = \$ 430.00																				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property +		\$ 0.00																				
TOTAL FEES ENCLOSED = \$ 430.00																						
		Amount to be refunded : charged :																				
a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u> . A duplicate copy of this sheet is enclosed. d. <input checked="" type="checkbox"/> Charge <u>\$ 430.00</u> to credit card. Form PTO-2038 is attached.																						
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																						
SEND ALL CORRESPONDENCE TO: Burns, Doane, Swecker & Mathis, L.L.P. Suite 400 402 W. Broadway San Diego, CA 92101-3542 (619) 446-5600																						
 SIGNATURE <u>Laurie A. Axford</u> NAME <u>Laurie A. Axford</u> REGISTRATION NO. <u>35,053</u> DATE <u>July 9, 2004</u>																						

CERTIFICATE OF MAILING
UNDER 37 C.F.R. § 1.10

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Mailing Label No. EV 419 104 723 US.

Date of Deposit: January 3, 2005



Kim A. Cabello